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October 6, 2008

**BY HAND AND EMAIL DELIVERY**

Ms. LaKeshia Brent  
United States Copyright Office  
James Madison Memorial Building, LM-401  
101 Independence Avenue S.E.  
Washington, DC 20059-6000

RECEIVED  
OCT 06 2008  
Copyright Royalty Board

***Re: In the matter of Mechanical and Digital Phonorecord Delivery Rate  
Adjustment Proceeding, 2006-3 CRB DPRA***

To the Copyright Royalty Judges:

The 2006-3 CRB DPRA Order and Determination of Rates and Terms was emailed on October 2 to recipients who were not authorized to receive confidential information under the Court's Protective Order. We are aware of at least one instance where a recipient forwarded the email before being told it contained confidential information, as has now been designated by the RIAA. We informed counsel for the RIAA and Copyright Owners of this situation as soon as we became aware of it and have sought to stop further distribution of the information; however, we cannot represent that the information has not already been publicly disclosed.

Please do not hesitate to call me if you wish to discuss this further. Thank you.

Respectfully submitted,

  
Fernando R. Laguarda

cc: service list (via email)

$\frac{1}{2} \frac{d}{dt} \left( \frac{1}{2} \frac{d}{dt} \right)$

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of October 2008, I caused a true and correct copy of the foregoing letter to be served by electronic mail on the following:

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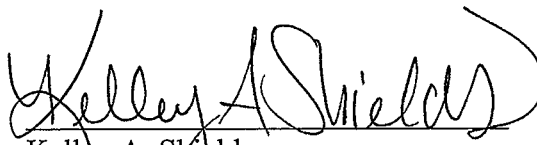
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